

John Lull

TOWN BOARD MEETING AGENDA October ^{16th}, 2001

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
Philip Cardinale, Councilman**

**Christopher Kent, Councilman
James Lull Councilman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy Barnes
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief Joseph Grattan
Jane Vanden Thoorn
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of October 2nd, 2001, moved
by Councilperson Bar, seconded
by Councilperson Dersie.

REPORTS

Juvenile Aid Bureau: Monthly Report for September, 2001.

Recreation Dept. Monthly Report for July & August, 2001
Total Collected: \$33,213.39 & \$19,249.19 respectively

Animal Control Report: Statistics from Jan1 to Sept. 30, 2001.

Open Bid Reports: Generator-Opened: 10/11/01-Four Bids were Received

- | | |
|---------------------------------------|-------------------------|
| 1. J&S Reeve Summer Cottages | Bid Amount: \$12,000.00 |
| 2. North Shore Generator Systems Inc. | Bid Amount: \$17,415.00 |
| 3. ARZ Contracting Corp. | Bid Amount: \$29,400.00 |
| 4. 3d Industrial Sales Service | Bid Amount: \$38,475.00 |

APPLICATIONS

Parade Permits: Roanoke Ave. School-Oct. 31 @1:15 p.m.

Site Plan: Mid Road Properties, LLC-Construct 126 unit multi-family
Retirement community with clubhouse, pool, tennis courts.

COMMITTEE REPORTS

CORRESPONDENCE

Werner H. Nufer:

**Re: The retention of the former Grumman Aircraft
runways at Calverton.**

**Richard & Cynthia
Dieterich**

In support of the Moratorium

Helga Guthy

In support of the Moratorium

David Bouchier

In support of the Moratorium

PUBLIC HEARINGS

**7:05 p.m. The Special Permit Petition of Robert Heidenberg on behalf of
Headriver, LLC.**

**7:10 p.m. The Special Permit of William Dreis an Anthony Specchio to allow
the construction of two restaurants located at Route 58, Riverhead.**

**7:15 p.m. The Consideration of the Establishment and Operation of an
Individualized Residential Alternative at 45 Sound Avenue,
Riverhead.**

**7:20 p.m. The Consideration of the Adoption of a Local Law entitled,
Moratorium on Residential Development**

OCTOBER 16, 2001

TOWN BOARD SPECIAL TOWN BOARD MEETING

- Res. #1059 Approves Request for Leave of Absence
- Res. #1060 Appoints a Recreation Aide to the Riverhead Recreation Department
- Res. #1061 Accepts Performance Bond of Hardy Management Co. (84 Lumber)
- Res. #1062 Appoints a P/T Assistant Recreation Center Manager to the Riverhead Recreation Department
- Res. #1063 Reduces Irrevocable Letter of Credit of the Subdivision Entitled, "Fox Meadow Estates"
- Res. #1064 Approves Special Permit Petition of Joseph F. Sciotto
- Res. #1065 Approves Site Plan of Joseph Sciotto, DMD
- Res. #1066 Approves Amended Site Plan of Coastal Pipeline Products
- Res. #1067 Approves Special Permit Petition of Calverton Enterprises, Inc.
- Res. #1068 Authorizes Town Clerk to Publish and Post Notice of Public Hearings – Change of Zone and Special Permit of Reliance Leasing, Inc.
- Res. #1069 Approves Six (6) Month Extension of a Temporary sign Permit for Sunken Ponds Estates
- Res. #1070 Approves Amended Site Plan of Traditional Links, LLC (Friar's Head Farm)
- Res. #1071 Approves Site Plan of T.R.W. Realty Corp. (Riverhead Auto Mall II)
- Res. #1072 Authorizes Town of Riverhead to Grant Permission to Erect a Sign for Crystal Pines Estates
- Res. #1073 Recreation Program Fund Budget Adjustment
- Res. #1074 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Adoption of the 2002 Annual Budget for the Town of Riverhead
- Res. #1075 Authorization to Publish Bid for Milk
- Res. #1076 Authorization to Publish Bid for Office Products & Furniture

- Res. #1077 Sunken Pond Estates Capital Project Budget Adjustment
- Res. #1078 General Fund Budget Adjustment
- Res. #1079 Authorizes Town Clerk to Publish and Post Public Notice for a Local Law to Repeal and Replace Chapter 107 Entitled “Wetlands, Floodplains and Drainage” of the Riverhead Town Code
- Res. #1080 Authorizes Town Clerk to Publish and Post Notice to Bidders for Senior Citizen Human Resource Center
- Res. #1081 Awards Bid for Landfill Reclamation Demonstration Project
- Res. #1082 Accepts Resignation of Street Lighting Division Employee (Joseph Quigley)
- Res. #1083 Cliff Road West and Old Orchard Road Improvement Capital Project Budget Adoption
- Res. #1084 Directs the supervisor to Take Specified Action Regarding Cablevision Franchise Agreement
- Res. #1085 Awards Bid 69 KV Pole Replacement
- Res. #1086 Pays Bills

10/16/01

1975
STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 1059

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN KENT

WHEREAS, Police Officer Shaun J. Brady has requested a six month, non-paid leave of absence from the Town Board.

NOW, THEREFORE BE IT RESOLVED, that Shaun J. Brady's request for a non-paid leave of absence from November 16, 2001 to May 16, 2002 is hereby approved subject to the following condition(s):

(1) to facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of his intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Shaun J. Brady, the Police Department, and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

Adopted

10/16/01

TOWN OF RIVERHEAD

Resolution # 1060

APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN KENT

RESOLVED, that Margie Kozma is hereby appointed as a Recreation Aide with the working title of a Exercise Instructor, effective, October 16, 2001 to and including December 31, 2001, to be paid at the rate of \$30.00 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTEDensiesld ☒ Yes ___ No ___ Cardinal ☒ Yes ___ No ___Kent ☒ Yes ___ No ___ Lul ☒ Yes ___ No ___Kozakiewicz ☒ Yes ___ No ___**THE RESOLUTION WAS ☒ WAS NOT ___****THEREUPON DULY ADOPTED**

10/16/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1061

ACCEPTS PERFORMANCE BOND OF HARDY MANAGEMENT CO.
(84 LUMBER)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN CARDINALE

WHEREAS, Hardy Management Co., has posted a performance bond in the sum of Six Thousand Six Hundred Forty Hundred Dollars (\$6,640) representing the 5% site plan bond for the work at 1751 Route 25, Riverhead, New York, Suffolk County Tax Map # 600-118.00-04-010.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Six Thousand Six hundred Forty Dollars (\$6,640) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Hardy Management Co., PO Box 584, Eighty Four, PA 15384, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

10/16/01

Adopted

TOWN OF RIVERHEAD

Resolution # 1062**APPOINTS A P/T ASSISTANT RECREATION CENTER MANAGER
TO THE RIVERHEAD RECREATION DEPARTMENT****COUNCILMAN CARDINALE**

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

RESOLVED, that Gilbert Henderson is hereby appointed to serve as a P/T Assistant Recreation Center Manager, effective, October 16, 2001 to and including, December 31, 2001 to be paid at the rate of \$13.6366 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lill	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

1979
Adopted

Resolution # 1063

**REDUCES IRREVOCABLE LETTER OF CREDIT OF THE SUBDIVISION
ENTITLED, "FOX MEADOW ESTATES"**

~~COUNCILMAN LILL~~

_____ offered the following resolution, was seconded by

~~COUNCILMAN KENT~~

WHEREAS, the Riverhead Planning Board approved the final plat entitled "Fox Meadow Estates"; and

WHEREAS, Gerald T. Simone of Gendot Associates, Inc., by letter dated October 9, 2000, did request a reduction of the performance bond for work completed within said subdivision; and

WHEREAS, by resolution dated November 3, 2000, the Riverhead Planning Department recommends that the performance bond for road and drainage improvements in the realty entitled, "Fox Meadow Estates", be reduced to \$97,000.00.

NOW THEREFORE BE IT RESOLVED, that **upon receipt** of the reduced irrevocable letter of credit in the amount of \$97,000.00, the Town Clerk is hereby directed to release the Suffolk County National Bank Irrevocable Letter of Credit No. 991021 in the amount of \$234,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gendot Associates, Inc., P.O. Box 534, Wading River, New York, 11792; Suffolk County National Bank, Attn: David DeVito, Vice President, 137 West Broadway, P.O. Box 442, Port Jefferson, New York, 11777; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lill	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

October 16, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1064**APPROVES SPECIAL PERMIT PETITION OF JOSEPH F. SCIOTTO**

COUNCILMAN DENSIESKI offered the following resolution which
 was seconded by COUNCILMAN KENT

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition pursuant to Sections 108-3 and 108-35 B(3) of the Town Code from Joseph F. Sciotto for improvements to a one family dwelling for the purpose of developing a dental office on a 1.0 acre parcel zoned Business "G" and known by Suffolk County Tax Map Number 0600-68-1-10.1, and

WHEREAS, the Riverhead Town Board by resolution No. 617 of 2001 declared the petition to be a Type II action pursuant to 6NYCRR Part 617.5 (c)(7), and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation, such Planning Board recommending the approval of the petition, and

WHEREAS, the Riverhead Town Board has referred the petition to the Suffolk County Planning Commission, such Commission determining the matter to be one of local determination, and

WHEREAS, a public hearing was held on the petition as required by the Riverhead Town Code, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Joseph F. Sciotto, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Business 'G' Zoning Use District;
2. That the Business 'G' Zoning Use District provides for professional offices as a special permit use;

3. That the petition involves the conversion of a one story frame residence into a professional office;
4. That the lot area is sufficient for the proposed use and any anticipated expansion thereof;
5. That the health, safety, welfare, comfort and order of the Town will not be adversely affected by the proposed land use;
6. That the proposed land use will be in harmony with and promote the general purpose and intent of the Town of Riverhead Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit application of Joseph F. Sciotto subject to the following condition:

That no certificate of occupancy be issued prior to the construction and inspection of those improvements as required by the New York State Department of Transportation; and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Joseph F. Sciotto or his agent.

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No
 Kent ☒ Yes ☐ No Kull ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

October 16th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1065**APPROVES SITE PLAN OF JOSEPH SCIOTTO, DMD****COUNCILMAN CARDINALE**

offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, a site plan and elevations were submitted by Joseph Sciotto, DMD, to convert an existing one story house to a dental office, located at Main Road (NYS 24), Jamesport, New York, known and designated as Suffolk County Tax Map Number 0600-068.00-01-010.01; and

WHEREAS, the Planning Department has reviewed the site plan dated September 28th, 2001, as prepared by Garrett A. Strang, R.A., and elevations dated August 14th, 2001, as prepared by Garrett A. Strang, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 28515 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Joseph Sciotto, DMD, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

RESOLVED, that the site plan and elevations submitted by Joseph Sciotto, DMD, to convert an existing one story house to a dental office, located at Main Road (NYS 24), Jamesport, New York, site plan dated September 28th, 2001, as prepared by Garrett A. Strang, R.A., and elevations dated August 14th, 2001, as prepared by Garrett A. Strang, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Joseph Sciotto, DMD hereby authorizes and consents to the

Town of Riverhead to enter premises at Main Road (NYS 24), Jamesport, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Sciotto, DMD, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2001, made by Joseph Sciotto, DMD, residing at 500 Meadow Court, Southold, New York 11971, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Joseph Sciotto, DMD hereby authorizes and consents to the Town of Riverhead to enter premises at Main Road (NYS 24), Jamesport,, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Joseph Sciotto, DMD

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, in the year _____ before me, the
undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Adopted

10/16/2001

APPROVES AMENDED SITE PLAN OF COASTAL PIPELINE PRODUCTS

October 16th, 2001

Resolution # 1066

COUNCILMAN DENSIESKI

offered te following resolution,

which was seconded by COUNCILMAN KENT

WHEREAS, resolution number 419 of 2000 did approve the amended site plan application of Coastal Pipeline Products to allow the construction of a 4,000 sq. ft. storage building, located at the south west corner of Manor Road and Twomey Avenue, Calverton, New York 11933, known and designated as Suffolk County Tax Map Number 0600-100-1-9; and

WHEREAS, Coastal Pipeline Products has submitted an application to amend the site plan approval to allow for the relocation of the previously approved storage building; and

WHEREAS, the Planning Department has reviewed the site plan dated January 8th, 2001 as prepared by James V. Delucca, R.A., and the elevations dated August 14th, 2000 as prepared by James V. Delucca; and

WHEREAS, a copy of the site plan has been marked and initialed; and

WHEREAS, the site plan amendment fee, as required by Section 108-131 B (3) of the code of the Town of Riverhead has been received and deposited as per receipt number 21809 of the Office of the Supervisor of the Town of Riverhead; and

WHEREAS, this Town Board has reviewed the site plan and aforementioned.

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby amends the site plan approval of Coastal Pipeline Products to allow the relocation of a 4,000 sq. ft. storage building.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. James Delucca, R.A., architect for the applicant and the Riverhead Planning Department, Riverhead Building Department and the Town Engineer.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Luh	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

October 16, 2001

1989

Adopted

TOWN OF RIVERHEAD

Resolution # 1067

APPROVES SPECIAL PERMIT PETITION OF CALVERTON ENTERPRISES, INC.

~~COUNCILMAN TULL~~

offered the following resolution which

was seconded by ~~COUNCILMAN CARDINALE~~

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition pursuant to Sections 108-3 and 108-48 B(6) of the Town Code from Calverton Enterprises, Inc. for a 3,132 square foot gasoline station with service and inspection facilities and convenience store on a .92 acre parcel zoned Industrial 'B' and known by Suffolk County Tax Map Number 0600-97-1-82, and

WHEREAS, the Riverhead Town Board by resolution No. 540 of 2001 did declare themselves to be the Lead Agency, and

WHEREAS, the Town Board has referred the application to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the petition with certain conditions, and

WHEREAS, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation, such Planning Commission considering the petition a matter of local determination, and

WHEREAS, a public hearing was held on the petition as required by the Riverhead Town Code, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, the commentary made at the relevant public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Calverton Enterprises, Inc., the Riverhead Town Board hereby makes the following findings:

1. That the site is located within the Industrial B Zoning Use District;

THE VOTE
Densleski ☒ Yes ☐ No Cardinal ☒ Yes ☐ No
Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

2. That the Industrial B Zoning Use District provides for gasoline service station as a specially permitted use;
3. That the Industrial B Zoning Use District provides for motor vehicle repair shop as a specially permitted use;
4. That the Zoning Ordinance and past practice provides for a convenience store as a customary accessory use and is not counted as a use upon the premises;
5. That there are no existing gasoline service stations within 1,000 feet of the subject premises;
6. That the special permit petition involves the reconstruction of an existing gasoline service station which has been operating since prior to 1965;
7. That the site is particularly suitable for the location of the proposed use within the community;
8. That through Suffolk County Health Department approval, adequate provisions will be made for the collection and disposal of sanitary sewage and other wastes;
9. That adequate provisions for motor vehicle access will be made pursuant to permit requirements of the New York State Department of Transportation, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby determines the action to be Unlisted pursuant to 6NYCRR Part 617 without significant adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to publish and post those notices of non-significance as required by 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby approves the special permit application of Calverton Enterprises, Inc. subject to the following conditions:

1. That retail sales within the convenience store be restricted to the hours of 5:00 A.M. to 12 Midnight daily;
2. That no site plan approval be issued prior to the approval of the New York State Department of Transportation for road opening and roadway improvements within the New York State Right of Way; and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Calverton Enterprises, Inc. or their agent.

October 16, 2001

Adopte

TOWN OF RIVERHEAD

Resolution # 1068**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF
PUBLIC HEARINGS – CHANGE OF ZONE AND SPECIAL PERMIT OF
RELIANCE LEASING, INC.**COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by COUNCILMAN CARDINALE

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Reliance Leasing, Inc. to provide for the Industrial B Zoning Use District to the exclusion of the existing Agriculture A Zoning Use District upon real property located at Youngs Avenue, Riverhead, New York and is in further receipt of an attending special permit petition to allow the construction of a recycling facility upon the subject property; such property more particularly described as Suffolk County Tax Map No. 0600-80-2-4.1, and

WHEREAS, such petitions have been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the petitions with certain conditions, and

WHEREAS, the Town Board desires to hold public hearings upon the subject petitions pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notices of public hearing for the change of zone petition and for the special permit petition of Reliance Leasing, Inc. in the official newspaper of the Town of Riverhead.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of November, 2001 at 2:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the change of zone petition of Reliance Leasing, Inc. to provide for the Industrial B Zoning Use District to the exclusion of the prevalent Agriculture A Zoning Use district upon real property located at Youngs Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-80-2-4.1.

DATED: October 16, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of November, 2001 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Reliance Leasing Inc. to allow the construction of a recycling center upon real property located at Youngs Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-80-2-4.1.

DATED: October 16, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

1993
Adopted

Resolution # 1069 .

COUNCILMAN: LULL

seconded by **COUNCILMAN KENT**

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

October 16th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1070**APPROVES AMENDED SITE PLAN OF TRADITIONAL LINKS, LLC**
(FRIAR'S HEAD FARM)**COUNCILMAN KENT**

offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, a site plan and elevations were submitted by Kenneth Bakst representing Traditional Links, LLC, to construct a teaching building/temporary golf staging area and clubhouse, located at Sound Avenue, Baiting Hollow, New York, known and designated as Suffolk County Tax Map Number 0600-41-1-10.5; and

WHEREAS, the Planning Department has reviewed the site plan dated August 15th, 2001, as prepared by Gerhard Martin Schwalbe, P.E., and elevations dated September 4th, 2001, as prepared by Allan P. Shope, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 26307 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Kenneth Bakst representing Traditional Links, LLC, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

THE VOTE

Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinalo	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

RESOLVED, that the site plan and elevations submitted by Kenneth Bakst representing Traditional Links, LLC, to construct a teaching building/temporary golf staging area and clubhouse, located at Sound Avenue, Baiting Hollow, New York, site plan dated August 15th, 2001, as prepared by Gerhard Martin Schwalbe, P.E., and elevations dated September 4th, 2001, as prepared by Allan P. Shope, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Traditional Links, LLC hereby authorizes and consents to the

Town of Riverhead to enter premises at Sound Avenue, Baiting Hollow, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Bakst representing Traditional Links, LLC, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2001, made by Traditional Links, LLC, residing at 2975 Sound Avenue, Riverhead, New York 11901, Declarant:

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Traditional Links, LLC hereby authorizes and consents to the Town of Riverhead to enter premises at Sound Avenue, Baiting Hollow, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Traditional Links, LLC

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, in the year _____ before me, the
undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

October 16th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1071

APPROVES SITE PLAN OF T.R.W. REALTY CORP.
(RIVERHEAD AUTO MALL II)
COUNCILMAN CARDINALE

_____ offered the following resolution,
COUNCILMAN DENSIESKI
 which was seconded by _____:

WHEREAS, a site plan and elevations were submitted by Thomas C. Wolpert, P.E., Young and Young, to construct an 8,000 sq. ft. automobile sales showroom as an expansion of an existing facility, located at North Side of Old Country Road, Riverhead, New York 11901, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-3 & 5.1; and

WHEREAS, the Town Board of the Town of Riverhead has adopted a policy of requiring landscaped areas upon commercial properties and restricting the display of motor vehicles within such landscaped areas; and

WHEREAS, the Planning Department has reviewed the site plan dated October 4th, 2001, as prepared by David J. Hodukavich, AIA, and elevations dated January 4th, 2000 as prepared by David J. Hodukavich, AIA, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 28514 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Thomas C. Wolpert, P.E., Young and Young, the Riverhead Town Board hereby declares itself to be

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lall	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED

the Lead Agency and further determines the Action to be Unlisted Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Thomas C. Wolpert, P.E., Young and Young, to construct an 8,000 sq. ft. automobile sales showroom as an expansion of an existing facility, located at North Side of Old Country Road, Riverhead, New York 11901, New York, site plan dated October 4th, 2001 as prepared by David J. Hodukavich, AIA, and elevations dated January 4th, 2000, as prepared by David J. Hodukavich, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan review and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;

9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, T.R.W. Realty Corp. hereby authorizes and consents to the Town of Riverhead to enter premises at North Side of Old Country Road, Riverhead, New York 11901, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That the landscaped areas along Route 58 shall not be used for the outdoor storage and display of motor vehicles; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Thomas C. Wolpert, P.E., Young and Young, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2001, made by T.R.W. Realty Corp., residing at 1800 Old Country Road, Riverhead, N.Y. 11901, Declarant:

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, T.R.W. Realty Corp. hereby authorizes and consents to the Town of Riverhead to enter premises at North Side of Old Country Road, Riverhead, New York 11901, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

14. That the landscaped areas along Route 58 shall not be used for the outdoor storage and display of motor vehicles;

Declarant has hereunto set his/her hand and seal the day and year above first written.

T.R.W. Realty Corp.

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Adopted

10/16/01

TOWN OF RIVERHEAD

Resolution # 1072

**AUTHORIZES TOWN OF RIVERHEAD TO GRANT PERMISSION TO ERECT A
SIGN FOR CRYSTAL PINES ESTATES.**

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

COUNCILMAN KULL :

WHEREAS, The Riverhead Town Code provides that the Town Board may approve sign permit applications; and

WHEREAS, the residents of Crystal Pines Estates has requested that an entrance sign be erected on property located at Crystal Drive, Aquebogue, New York, also known as Suffolk County Tax Map #0600-67-2-16.4 and owned by the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead desires to permit the erection of the said sign at the property above mentioned.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby grants permission to erect said sign as attached in a sketched plan with the design of said sign; and be it further

RESOLVED, that all actual expenses and maintenance will be incurred by the residents of Crystal Pines Estates and no costs shall be assessed to the Town of Riverhead to erected and maintain said sign and; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Cheryl Haupt, PO Box 2340, Aquebogue, New York, 11931; the Building Department; Mark Kwasna, Highway Supt., and the Office of the Town Attorney.

THE VOTE

Densieski ☒ Yes ☐ No Cardinals ☒ Yes ☐ No

Kent ☒ Yes ☐ No Kull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 1073RECREATION PROGRAM FUNDBUDGET ADJUSTMENT~~COUNCILMAN KENT~~

_____ offered the following resolution ,

which was seconded by _____ ~~COUNCILMAN CARDINALE~~

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

006.073100.543405 YOUTH PROGRAM, TRAVEL \$675.

TO:

006.073100.542000 YOUTH PROGRAM, SUPPLIES \$675.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

OCTOBER 16, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1074

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC
HEARING TO CONSIDER THE ADOPTION OF THE 2002 ANNUAL BUDGET
FOR THE TOWN OF RIVERHEAD**

~~COUNCILMAN~~ CARDINALE

_____ offered the following resolution,

which was seconded by ~~COUNCILMAN~~ LULL

BE IT, RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Public Notice in the October 18, 2001 issue of the News-Review;

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 7th day of November, 2001 at 2:20 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2002 Annual Budget for the Town of Riverhead, which shall include the following specific items:

ELECTED OFFICIALS' SALARIES

<u>Position</u>	<u>Proposed Salary</u>
Town Supervisor	\$74,230
Town Board Councilpersons (4)	\$31,000
Town Receiver of Taxes	\$57,500
Town Assessors (3)	\$57,500
Town Clerk	\$62,500
Town Justices (2)	\$58,000
Highway Superintendent	\$65,000

PLEASE TAKE FURTHER NOTICE, that a copy of the Preliminary Budget is available in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

DATED: Riverhead, New York
October 16, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

10/16/01

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 1075

AUTHORIZATION TO PUBLISH BID FOR MILK

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for MILK and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the October 25, 2001 issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ No

The Resolution Was ☒ Was Not ☐
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of MILK for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on November 1, 2001.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR MILK.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

OCTOBER 16, 2001

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 1076

AUTHORIZATION TO PUBLISH BID FOR OFFICE PRODUCTS & FURNITURE

[COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN KENT

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for OFFICE SUPPLIES & FURNITURE and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the October 25, 2001 issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTECardinale ☒ Yes ☐ NoDensieski ☒ Yes ☐ NoKent ☒ Yes ☐ NoLull ☒ Yes ☐ NoKozakiewicz ☒ Yes ☐ NoThe Resolution Was ☒ Was Not ☐

Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **OFFICE PRODUCTS & FURNITURE** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on November 30, 2001.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR OFFICE PRODUCTS & FURNITURE.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

OCTOBER 16, 2001

TOWN OF RIVERHEAD

Resolution # 1077SUNKEN POND ESTATESCAPITAL PROJECTBUDGET ADJUSTMENTCOUNCILMAN CARDINALE

_____ offered the following resolution ,
 which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

406.083200.547900.60101
 406.083200.543315.60101

CONTINGENCY
 LEGAL EXPENSE

\$3,600.
 4,000.

TO:

406.083200.523002.60101 WATER MAIN CONSTRUCTION

\$7,600.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

OCTOBER 16, 2001

2015

TOWN OF RIVERHEAD

Adopted

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1078

COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

001.014100.542314 TOWN CLERK, PHOTO SUPPLIES

FROM:
\$235.

001.014100.542108 TOWN CLERK, MINUTE TAPES
001.014100.542602 TOWN CLERK, STATIONERY

TO:
\$50.
185.

001.031200.524223 POLICE, TELEPHOTO EQUIPMENT
001.031200.524502 POLICE, TRUNK EQUIPMENT

FROM:
\$400.
50.

001.031200.542301 POLICE, RADAR MAINTENANCE

TO:
\$450.

001.031200.542605 POLICE, APPEARANCE TICKETS
001.031200.542307 POLICE, FLARE EXPENSE

FROM:
\$65.
90.

001.031200.542309 POLICE, TRAFFIC BARRICADES

TO:
\$155.

THE VOTE

Cardinale ☒ Yes ☐ No

Densieski ☒ Yes ☐ No

Kent ☒ Yes ☐ No

Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

October 16, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 1079**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A
LOCAL LAW TO REPEAL AND REPLACE CHAPTER 107 ENTITLED "WETLANDS,
FLOODPLAINS AND DRAINAGE" OF THE RIVERHEAD TOWN CODE****COUNCILMAN CARDINALE**

_____ offered the following resolution, was seconded by

COUNCILMAN KENT

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law repealing and replacing Chapter 107 entitled "Wetlands, Floodplains and Drainage" of the Riverhead Town Code once in the October 25, 2001 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to George M. Bartunek, Conservation Advisory Committee; the Riverhead Planning Department; the Riverhead Planning Board; the Zoning Board of Appeals; the Riverhead Building Department; the Code Revision Committee and the Office of the Town Attorney.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 7th day of November, 2001 at 2:25 o'clock p.m. to consider a local law to repeal and replace Chapter 107 entitled "Wetlands, Floodplains and Drainage" of the Riverhead Town Code.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
October 16, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Draft October 2001**Chapter 107****WETLANDS, FLOODPLAINS AND DRAINAGE**

§ 107-1. Legislative intent.

§ 107-2. Title.

§ 107-3. Definitions.

§ 107-4. Regulated areas.

§ 107-5. Permitted acts.

§ 107-6. Application for permit.

§ 107-7. Procedure for issuance of permit; display of permit; inspections.

§ 107-8. Compliance with conditions.

§ 107-9. Notice of violation; penalties for offenses.

§ 107-10. Continuation of existing or prior conditions.

§ 107-11. Emergency and minor maintenance exceptions.

[HISTORY: Adopted by the Town Board of the Town of Riverhead 8-17-1976 as Local Law No. 5-1976,
repealed and replaced , 2001]

§ 107-1. Legislative intent.

A. The Town Board of Riverhead finds that rapid growth, the spread of development and increasing demands upon natural resources are encroaching upon, despoiling, polluting or eliminating many of its watercourses, tidal wetlands, freshwater wetlands,

watershed lands, and other natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, social, aesthetic, recreational and economic assets to existing and future residents of the Town.

B. It is the intent of the Town Board to protect the citizens of the Town of Riverhead by providing for the protection, preservation, proper maintenance and use of its watercourses, tidal wetlands, freshwater wetlands, watershed lands, and other natural resources in order to minimize their disturbance, prevent damage from erosion, turbidity, siltation or saltwater intrusion, prevent the loss of fish, shellfish or other beneficial marine organisms, aquatic wildlife and vegetation and the destruction of the natural habitat thereof, prevent the danger of flood and storm tide damage and pollution and to otherwise protect the quality of watercourses, tidal wetlands, freshwater wetlands, watershed lands, underground water reserves, and beaches for their conservational, economic, aesthetic, recreational values and other public uses, and, further, to protect the Town's potable fresh water supplies from the dangers of drought, overdraft, pollution and misuse or mismanagement. Therefore, the Town Board declares that regulation of the watercourses, tidal wetlands, freshwater wetlands, and watershed lands of Riverhead Town is essential to the health, safety and economic and general welfare of the people of Riverhead Town, and for their interest.

§ 107-2. Title.

This chapter shall be known and may be cited as the "Tidal and Freshwater Wetlands Law of the Town of Riverhead."

§ 107-3. Definitions.

The following terms, phrases, words and their derivatives shall have the meanings given herein:

COMPREHENSIVE PLAN -- That comprehensive Master Plan of the Town for the development of the entire area of the municipality showing existing and proposed facilities, endorsed by the Planning Board and adopted by the Town Board.

FLOODPLAIN -- Alluvial plains that are due primarily to channel or overbank deposition.

FRESHWATER WETLANDS -- Lands and waters as indicated on, but not limited to, the Freshwater Wetlands Map for Suffolk County promulgated by the Department of Environmental Conservation pursuant to the Freshwater Wetlands Act and the Riverhead Freshwater Wetlands Inventory (1979) which contain any or all of the following:

A. Lands and submerged lands commonly called marshes, swamps, sloughs, bogs, and flats supporting aquatic or semiaquatic vegetation of the following types:

1. Wetland trees, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other trees; including, among others, red maple (*Acer rubrum*), willows (*Salix* spp.), black spruce (*Picea mariana*), swamp white oak (*Quercus bicolor*), red ash (*Fraxinus pennsylvanica*), black ash (*Fraxinus nigra*), silver maple (*Acer saccharinum*), American elm (*Ulmus americana*) and larch (*Larix laricina*);

2. Wetland shrubs, which depend upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other shrubs; including, among others, alder (*Alnus* spp.), buttonbush (*Cephalanthus occidentalis*), bog rosemary (*Andromeda glaucophylla*), dogwoods (*Cornus* spp.), and leatherleaf (*Chamaedaphne calyculata*);
3. Emergent vegetation; including, among others, cattails (*Typha* spp.), pickerelweed (*Pontederia cordata*), bulrushes (*Scirpus* spp.), arrow arum (*Peltandra virginica*), arrowheads (*Sagittaria* spp.), reed (*Phragmites communis*), wildrice (*Zizania aquatica*), bur-reeds (*Sparganium* spp.), purple loosestrife (*Lythrum salicaria*), swamp loosestrife (*Decodon verticillatus*) and water plantain (*Alisma plantago-aquatica*);
4. Rooted, floating-leaved vegetation; including, among others, water-lily (*Nymphaea odorata*), water shield (*Brasenia schreberi*), and spatterdock (*Nuphar* spp.);
5. Freefloating vegetation; including, among others, duckweed (*Lemna* spp.), big duckweed (*Spirodela polyrhiza*), and watermeal (*Wolffia* spp.);
6. Wet meadow vegetation, which depends upon seasonal or permanent flooding or sufficiently water-logged soils to give them a competitive advantage over other open land vegetation; including, among others, sedges (*Carex* spp.), rushes (*Juncus* spp.), cattails (*Typha* spp.), rice cut-grass (*Leersia oryzoides*), reed canary grass (*Phalaris arundinacea*), swamp loosestrife (*Decodon verticillatus*) and spike rush (*Eleocharis* spp.);

7. Bog mat vegetation; including, among others, sphagnum mosses (*Sphagnum* spp.), bog rosemary (*Andromeda glaucophylla*), leatherleaf (*Chamaedaphne calyculata*), pitcher plant (*Sarracenia purpurea*), and cranberries (*Vaccinium macrocarpon* and *V. oxycoccos*);

Submergent vegetation; including, among others, pondweeds (*Potamogeton* spp.), naiads (*Najas* spp.), bladderworts (*Utricularia* spp.), wild celery (*Vallisneria americana*), coontail (*Ceratophyllum demersum*), water milfoils (*Myriophyllum* spp.), muskgrass (*Chara* spp.), stonewort (*Nitella* spp.), waterweeds (*Elodea* spp.), and water smartweed (*Polygonum amphibium*);

Lands and submerged lands containing remnants of any vegetation that is not aquatic or semi-aquatic that has died because of wet conditions over a sufficiently long period, provided that such wet conditions do not exceed a maximum seasonal water depth of six feet and provided further that such conditions can be expected to persist indefinitely, barring human intervention;

C. Lands and waters substantially enclosed by aquatic or semi-aquatic vegetation as set forth in paragraph (A) or by dead vegetation as set forth in paragraph (B), the regulation of which is necessary to protect and preserve the aquatic and semi-aquatic vegetation; and

D. The waters overlying the areas set forth in (A) and (B) and the lands underlying (C).

MATERIAL -- Includes but is not limited to soil, sand, gravel, clay, bog, peat, mud, debris and refuse or any other material, organic or inorganic.

NATURAL DRAINAGE SYSTEM -- Consists of those uplands, floodplain lands and watercourses, including but not limited to those tidal wetlands designated on the New York State Department of Environmental Control Official Tidal Wetlands Map, freshwater wetlands designated on the Freshwater Wetlands Map for Suffolk County and the Riverhead Freshwater Wetlands Inventory (1979). Such lands and waters may include but are not limited to all uplands exhibiting fifteen percent (15%) or greater slopes, all fresh, salt or brackish water, swamps, bogs, marshes, streams, vernal ponds, ponds, lakes and all lands within the coastal floodplain, whether intermittently or permanently saturated or covered by ground, surface or tidal waters.

OPERATION -- Use or activity, removal, deposition or construction operations, or all of these.

PEAK LUNAR TIDES -- Those excessively high tides or spring tides caused by lunar gravitational phenomena.

PERSON -- Any person, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

REMOVE -- Includes dig, dredge, suck, bulldoze, dragline or blast.

TIDAL WETLANDS or WETLANDS - Any lands delineated as tidal wetlands on the Tidal Wetlands Map for Riverhead promulgated by the New York State Department of Environmental Conservation. Such lands shall comprise the following classifications as delineated on such map:

COASTAL FRESH MARSH - The tidal wetland zone, designated FM on an inventory map, found primarily in the upper tidal limits of river systems where significant

freshwater inflow dominates the tidal zone. Species normally associated with this zone include narrow leaved cattail (*Typha angustifolia*), the tall brackish water cordgrasses (*Spartina pectinata* and /or *S. cynosuroides*), and the more typically emergent freshwater species such as arrow arum (*Peltandra*), pickerel weed (*Ponederia*), and cutgrass (*Leersia*).

INTERTIDAL MARSH - The vegetated tidal wetland zone, designated IM on an inventory map, lying generally between average high and low tidal elevation. The predominant vegetation in this zone is low marsh cordgrass (*Spartina alterniflora*).

COASTAL SHOALS, BARS, and FLATS - The tidal wetland zone, designated SM on an inventory map, that (1) at high tide is covered by water, (2) at low tide is exposed or is covered by water to a maximum depth of approximately one foot, and (3) is not vegetated by low marsh cordgrass (*Spartina alterniflora*), except as otherwise determined in a specific case as provided in section 661.26 of the Tidal Wetlands-Land Use Regulations as promulgated by the Department of Environmental Conservation.

LITTORAL ZONE - The tidal wetlands zone, designated LZ on an inventory map, that includes all lands under tidal waters which are not included in any other category, except as otherwise determined in a specific case as provided in section 661.26 of the Tidal Wetlands-Land Use Regulations as promulgated by the Department of Environmental Conservation. Provided, there shall be no littoral zone under waters deeper than six feet at mean low water.

HIGH MARSH or SALT MARSH - The normal uppermost tidal wetland zone, designated HM on an inventory map, usually dominated by salt meadow grass

(*Spartina patens*), and spike grass (*Distichlis spicata*). This zone is periodically flooded by spring and storm tides and is often vegetated by low vigor marsh grass (*Spartina alterniflora*), and seaside lavender (*Limonium carolinianum*). Upper limits of this zone often include black grass (*Juncus gerardi*), chairmaker's rush (*Scirpus* sp.), marsh elder (*Iva frutescens*), and groundsel bush (*Baccharis halimifolia*).

FORMERLY CONNECTED TIDAL WETLANDS - The tidal wetlands zone, designated FC on an inventory map, in which normal tidal flow is restricted by man-made causes. Typical tidal wetland plant species may exist in such areas although they may be infiltrated with common reed (*Phragmites* sp.).

UNITED STATES COAST AND GEODETIC SURVEY CONTOUR -- Those elevations established on contour maps of the United States Coast and Geodetic Survey.

UPLAND -- Includes all lands at elevations above the most landward edge of the tidal marsh and/or above peak lunar tides or peak storm tides of record.

WATERCOURSES -- All water bodies other than tidal waters, including freshwater streams, marshes, swamps, bogs, vernal ponds, ponds and lakes.

WATERSHED LANDS -- All land surface areas bounded peripherally by a water parting and draining ultimately to a particular watercourse. Such lands shall include all surface water catchment areas or drainage basins from which the watercourses are drawn via surface drainage.

§ 107-4. Regulated areas.

It shall be unlawful for any person, without obtaining a written permit issued by the Town of Riverhead, to:

- A. Place or deposit, or permit to be placed or deposited, debris, fill or any materials, including structures, into or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.
- B. Dig, dredge, clear vegetation or in any other way alter or remove any material in or within 150 feet of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.
- C. Plant, seed, cultivate or maintain with the use of fertilizer or pesticide, any lands, other than those exempted under section 107-5-B(3), unless the occupier of the land maintains a natural 75 foot buffer from any wetland boundary.
- D. Construct groins, docks, bulkheads, dwellings, roads or other nonaccessory use structures in or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.
- E. Build, create, or install any new cesspool, septic tank, leaching field or other in-ground sewage or other waste disposal or storage system, including any pipe, conduit or other part thereof, or any above-ground or in-ground holding tank for any liquid other than water upon, under, or within 150 feet of the boundary of any tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

§ 107-5. Permitted acts.

- A. The acts set forth in § 107-4 are permissible if done pursuant to terms and conditions of a permit approved by the Town Board and/or the Town Building

Department, or pursuant to an approved and filed subdivision map or building permit carrying final approval.

B. The following operations and uses are permitted in the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses as a matter of right, subject to the provisions of § 107-4:

- (1) Conservation of soil, vegetation, water, fish, shellfish and wildlife.
 - (2) Outdoor recreation, including play and sporting areas, field trials, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing and shellfishing where otherwise legally permitted and regulated.
 - (3) Planting, seeding, cultivating or maintaining, without the use of fertilizers or pesticides, a disturbed area in agricultural use or horticulturally improved on the effective date of this legislation.
 - (4) Operation of dams and other water-control devices, including temporary alteration or diversion of water levels or circulation for emergency, maintenance or aquaculture purposes.
 - (5) Boat anchorage or mooring.
 - (6) Uses accessory to residential or other permitted primary uses of adjoining lands or waters, provided that they are consistent with the intent and objectives of this chapter.
- C. Upon the issue of a special permit for an exception to § 107-4 and subject to such special conditions or safeguards as the Town Board may deem necessary to fulfill the intent and objectives of this chapter, the following uses and operations are permitted:
- (1) Docks, bulkheads, boat launching or landing sites and marinas.

- (2) Temporary storage of materials.
 - (3) Commercial or private recreation facilities consistent with this chapter as determined by the Town Board.
 - (4) Dams and other water-control devices, dredging or diversion of water levels or circulation or changes in watercourses to improve hazardous navigation conditions, or for the improvement of fish, shellfish or wildlife habitat, recreation facilities or drainage improvements deemed to be consistent with the intent and objectives of this chapter by the Town Board.
 - (5) Driveways and roads where alternative means of access are proven to be impractical in the considered judgment of the Town Board.
- D. All uses and operations permitted or approved by special permit shall be conducted in such a manner as will cause the least possible damage and encroachment or interference with natural resources and natural processes within the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.
- E. Portions of any single lot or subdivision within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses may not be used in calculating the area and yard requirements for the zoning district in which the remainder of the lot or subdivision is situated.
- F. The valuation placed on lands within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses for purposes of real estate taxation shall take into account and be limited by the limitation on future use of such land, provided that the landowner grants to the Town a permanent scenic or

conservation easement to run with the land. Such easement shall not necessarily include public access, but shall give to the Town all development and management rights upon the land subject to the easement. The value of such easement shall be a legal income tax deduction subject to Internal Revenue Code, B. Statutes and Rulings, Section 170, Charitable, etc., Contributions and Gifts.

§ 107-6. Application for permit.

A. All applicants for a permit to do any of the acts regulated or permitted by §§ 107-4 and 107-5 shall present an original and three (3) copies of the permit application, together with other required information, to the office of the Town Conservation Advisory Council. An application fee of fifty dollars (\$50) is to be paid to the Town Clerk. All applications and copies thereof must be accompanied by or include the following information:

- (1) The name and address of the applicant and the applicant's agent, if any, and whether the applicant is the owner, lessee, licensee, etc. If the applicant is not the owner, the written consent of the owner, duly acknowledged, must be attached.
- (2) The purpose of the proposed removal or deposition operations, use or activity.
- (3) The amount of material proposed to be removed or deposited or the type of use.
- (4) A description of the area in which such removal, deposition or use is proposed.

The description shall be by bearing distance and based upon the Lambert Projection.

North and east coordinates of the starting point shall be given.

C. This chapter does not obviate the necessity for the applicant to obtain the assent of or a permit required by any other agency before proceeding with operations under an approved Town Board permit. Approvals or permits which may be required by the Town Board, New York State Department of Environmental Conservation, Suffolk County Department of Health Services, State Water Resources Commission, Army Corps of Engineers or others are solely the responsibility of the applicant. No operations shall be initiated by the applicant until such other permits as may be required are issued.

D. All applications for building permits, proposed subdivision maps or any development within 150 feet of the boundary of tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses shall be reviewed by the Town Conservation Advisory Council. The Council shall file its report with the Town Board as provided in § 107-7B.

§ 107-7. Procedure for issuance of permit; display of permit; inspections.

A. The Town Clerk shall retain the original permit application for his files and distribute one (1) copy each to the Town Board, the Conservation Advisory Council and all other involved agencies.

B. The Conservation Advisory Council shall review all completed permit applications and provide a written report decision to the Town Board, other involved agencies, and the applicant stating its findings and conclusions, within twenty-one (21) days of its receipt of said application. However such twenty-one-day time period shall not apply where an environmental impact statement is to be prepared by the applicant, in which case said sixty-day period shall not commence until a final environmental impact

(5) The depth to which removal or deposition operations are proposed and the angle of repose of all slopes, including deposited materials and sides of channels or excavations resulting from removal operations.

(6) The manner in which material will be removed or deposited, structure installed or use carried out.

B. The permit application shall be accompanied by:

(1) A survey and topographic map, with contours shown at two-foot intervals and the area of removal, deposition, use or construction indicated.

(a) All maps shall be certified by a registered land surveyor or professional engineer, both licensed in the State of New York.

(b) The survey and topographic map shall show the boundary of relevant wetlands. The soundings, depth or height of the proposed removal and deposition area will also be indicated on the survey. The vertical control for elevation and soundings shall be based upon United States Coast and Geodetic Survey and/or United States Geological Survey datum.

(c) A listing of the predominant wetland species on site.

(d) If the site in question is effected by tidal waters, the flood plain elevations will be indicated on the submitted topographic map.

(2) The names and addresses of all owners of lands contiguous to lands and waters where proposed operations will take place.

(3) A performance bond or other security representing no more than five percent (5%) of the estimated cost of the proposed operation as designated by the Town Board.

statement has been accepted by the lead agency exercising jurisdiction over the project. The Conservation Advisory Council decision shall be binding unless modified by the Town Board within ten (10) days of submittal by the Conservation Advisory Council to the Town Board. Such ten-day period shall commence upon the lapse of three (3) days from mailing of a copy of the decision of the Conservation Advisory Council to the applicant or service upon the Town Board, whichever shall be later. If either the applicant or the Town Board desires a modification of the decision of the Conservation Advisory Council, a public hearing shall be held upon prior reasonable public notice published in the official newspaper of the Town, and the Town Board shall hold a public hearing on the permit application. The Town Board shall, after the required public hearing, then render a decision to deny, approve or approve with conditions the permit application. In rendering a decision of approval, approval with conditions or denial of a permit, the Town Board shall state, in writing, its findings of fact and conclusions. The decision shall be transmitted to the Town Clerk, who will advise the applicant of such decision by transmitting a copy of the permit application to the applicant, together with the decision and conditions, if any, imposed by the Town Board attached.

C. The decision of the Town Board regarding a permit application shall be judicially reviewable.

D. Based upon the proceedings and decision of the court in the event a taking is declared, the Town may, within the time specified by the court, elect to:

(1) Institute condemnation proceedings to acquire the applicant's land in fee by purchase at the fair market value.

(2) Approve the permit application with lesser restrictions or conditions.

(3) Invalidate all conditions and the application of this chapter to the plaintiff's land and grant a permit without conditions.

E. The permit applicant or his agent proceeding with operations approved shall carry on his person or have readily available the approved permit and shall show same to any agency or agent of the Town of Riverhead whenever requested.

F. Operations conducted under the permit shall be open to inspection at any time by any agency or agent of Riverhead Town.

G. The boundaries of the wetlands must be clearly indicated in the field for the purposes of inspection by any agency or agent of Riverhead Town.

§ 107-8. Compliance with conditions.

A. The permit applicant, upon approval of a permit, shall file with the Town Clerk a performance bond, if required, in an amount and with sureties and in a form approved by the Town Board. The bond and sureties shall be conditioned upon compliance with all provisions of this chapter and conditions imposed upon permit approval.

B. The applicant shall certify that he has public liability insurance against any liability which might result from proposed operations or use covering any and all damage which might occur within three (3) years of completion of such operations. The amount of liability insurance coverage shall be a minimum of five hundred thousand dollars (\$500,000.) for all accidents resulting in bodily injury or death and one hundred thousand dollars (\$100,000.) for property damage.

C. The applicant shall also submit to the Town Clerk an affidavit which indemnifies and saves harmless the Town or any agency or agent thereof from any claims arising out

of or connected with operations under the permit and from all acts, omissions, commissions or negligence on the part of the applicant, his agents or employees.

D. In the case of removal, deposition, placement of structures and other operations or uses permitted within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses the Town Board shall reserve the right to require payments to the Town in an amount and in such manner as the Town Board shall direct.

E. The Town Board shall reserve the right to require a permit or license for any operations or uses permitted in the tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses.

§ 107-9. Notice of violation; penalties for offenses.

The provisions of this chapter shall be enforced by Ordinance Inspectors and Police

Officers of the Town of Riverhead, who shall be authorized to issue appearance tickets to violators at the site of the violation.

A violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding one thousand dollars (\$1000.00) or imprisonment for a period not to exceed six (6) months, or both. Each day's continued violation of this chapter will constitute a separate additional violation.

Nothing herein will prevent the proper local authorities of the Town from taking such other lawful actions or proceedings as may be necessary to restrain, correct or abate any violation of this chapter.

- D. Any person, firm, corporation or entity violating the provisions of this chapter shall become liable to the Town for any expense or loss or damage occasioned the Town by reason of such violation.
- E. In addition to any penalties, fines, forfeitures or injunctions that may be imposed pursuant to this § 107-9, an applicant who files an application for a permit pursuant to § 107-7, after a violation of this chapter has occurred, shall pay an application fee of one hundred dollars (\$100.) in lieu of the fifty-dollar application fee provided for in § 107-6.

Section 107-10. Continuation of existing or prior conditions.

Any structures, dwellings, construction or operations existing within tidal waters, tidal wetlands, floodplain lands, freshwater wetlands, natural drainage systems, or other watercourses shall be exempt from this chapter and permitted to continue, provided that:

- A. No new construction, structures, dwellings or operations will be permitted after the effective date of this chapter, except by permit as provided herein.
- B. Where damage or hazardous conditions exist, the landowner may be required by the Town Board to repair such damage or remedy such hazardous conditions as the Town Board may direct.

§ 107-11. Emergency and minor maintenance exceptions.

- A. Notwithstanding anything in this article to the contrary, no permit in accordance with 107-4 shall be required for:

- (1) The placement, restoration or rehabilitation, in place and in kind, of a documented existing coastal erosion structure, dock, piling or dolphin which has been damaged or destroyed, provided that a building permit is first obtained for such repair, replacement, restoration, or rehabilitation, and provided further that application for such building permit has been made within one year of the occurrence of the damage or destruction necessitating the proposed work; and providing the materials to be used, method of installation and disposal of material removed are approved in writing by the Building Department.
- (2) Minor maintenance, in place and in kind, to any documented existing coastal erosion structure or dock, provided that each of the following conditions are satisfied:
 - (a) The maintenance work proposed does not exceed an aggregate of 25% of the total existing dock or linear footage of bulkhead;
 - (b) The materials to be used, method of installation and disposal of material removed are approved in writing by the Building Department;
 - (c) A building permit is first obtained incorporating such reasonable conditions as may be necessary; and
 - (d) No minor maintenance building permits totaling an aggregate of more than 25% has been issued within the prior three years.

Adepted

October 16, 2001

Resolution # 1080

**TOWN OF RIVERHEAD
AUTHORIZES TOWN CLERK TO PUBLISH AND POST
NOTICE TO BIDDERS FOR
SENIOR CITIZEN HUMAN RESOURCE CENTER**

COUNCILMAN DENSIESKI offered the following resolution, which was
seconded by COUNCILMAN CARDINALE.

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders in the October 25, 2001 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Judy Doll, Martin Sendlewski, AIA and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lill	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kszalewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

NOTICE TO BIDDERS
TOWN OF RIVERHEAD
HUMAN RESOURCE CENTER

Separate sealed bids for General Construction Work, Mechanical Work, Plumbing Work, Fire Sprinklers and Electrical Work including any and all related work specified to be included as part of said bids for additions and alterations for the Town of Riverhead Human Resource Center located at Shade Tree Lane, Aquebogue, New York 11931 in accordance with Specification No. 2K21 and accompanying drawings shall be received by the Town of Riverhead Office of the Town Clerk 200 Howell Avenue, Riverhead, New York 11901 until 11:00 a.m. on Tuesday, November 20, 2001 at which time they will be publicly opened and read.

Contractors are herewith advised that plans and specifications may be obtained at the following location on or about Tuesday, October 30, 2001:

TOWN CLERK'S OFFICE
TOWN OF RIVERHEAD
200 HOWELL AVENUE
RIVERHEAD, NY 11901
(631) 727-3200

All inquiries regarding the content of bidding documents shall be directed to the office of:

MARTIN F. SENDLEWSKI, AIA
215 ROANOKE AVENUE
RIVERHEAD, NY 11901
(631) 727-5352

Documents will be available at the office of the Town Clerk located at 200 Howell Avenue, Riverhead, New York 11901 for inspection during normal business hours of 8:30 a.m. and 4:00 p.m. Monday thru Friday.

A refundable fee of One Hundred Dollars (\$100.00) via check shall be required for each set of bid documents obtained. Contractors who do not bid will forfeit said deposit. Documents returned for refund must be in good condition and must be returned to the Architect's office within thirty (30) calendar days after the bid opening date. Additional drawing prints may be obtained for two dollars per page (\$2.00/pg.) and additional specifications may be obtained for ten cents per page (\$.10/pg.). Additional plan and specification copies are nonrefundable. Checks shall be made payable to the Town of Riverhead.

The work shall be bid and awarded as five (5) prime contracts as follows:

Bid 2K21C	General Construction Work
Bid 2K21M	Mechanical Work
Bid 2K21P	Plumbing Work
Bid 2K21FS	Fire Sprinkler Work
Bid 2K21E	Electrical Work

A bid security equal to Five Percent (5%) of the amount of each bid submitted is required to be submitted via Bid Bond A.I.A. Document A 310 or via certified check as part of the bid.

A performance bond and labor and material payment bond will be required for this project in the amount of One Hundred Percent (100%) of the contract amount.

There will be a pre-bid conference for all bidders at the project site at 3:00p.m. on Thursday, November 8, 2001

Withdrawn

TOWN OF RIVERHEAD

RESOLUTION # 1081

**AWARDS BID FOR LANDFILL RECLAMATION
DEMONSTRATION PROJECT**

_____ offered the following resolution, which was
seconded by **COUNCILMAN KENT** .

WHEREAS, the Town Board of the Town of Riverhead did authorize the Town Clerk to post and publish a Notice to Bidders for the Landfill Reclamation Demonstration Project in the August 23, 2001 issue of the official town newspaper; and

WHEREAS, four (4) bids were received in the Office of the town Clerk on October 1, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby award the bid for the Landfill Reclamation Demonstration Project to Grimes Contracting Corporation in the amount of One Million Seven Hundred Sixty Three Thousand One Hundred Thirty Five Dollars & 00/100 (\$1,763,135.00); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to return any and all bid bonds received in connection with this project; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Grimes Contracting Corporation, Kenneth Testa, P.E., Frank A. Isler, Thomas C. Wolpert, Young & Young and the Office of Accounting.

COUNCILMAN CARDINALE OFFERED THE RESOLUTION TO BE WITHDRAWN, WHICH WAS SECONDED BY COUNCILMAN DENSIESKI.

THE VOTE

Densleski ☒ Yes ☐ No Cardinale ☒ Yes ☐ No

Kent ☒ Yes ☐ No Lull ☒ Yes ☐ No

Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Withdrawn

October 16, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1082

ACCEPTS RESIGNATION OF STREET LIGHTING DIVISION EMPLOYEE

COUNCILMAN KENT

offered the following resolution, which was

seconded by COUNCILMAN DENSIESKI .

WHEREAS, the Riverhead Town Board did previously grant an official leave of absence to Joseph Quigley; and

WHEREAS, Joseph Quigley did forward an official letter of resignation dated October 13, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board be and does hereby accept the resignation of Joseph Quigley, Maintenance Mechanic III, Street Lighting Division: and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Quigley, 28 Laurin Road, Calverton, NY 11931, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Uhl	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input type="checkbox"/> Yes	<input type="checkbox"/> No			

THE LEGISLATION WAS ~~X~~ WAS NOT ☐
AND THEREFORE ADOPTED

October 16, 2001

Adcpted**TOWN OF RIVERHEAD****CLIFF ROAD WEST AND OLD ORCHARD ROAD
ROAD IMPROVEMENT CAPITAL PROJECT
BUDGET ADOPTION****RESOLUTION # 1083****COUNCILMAN CARDINALE**

_____ offered the following Resolution

which was seconded by **COUNCILMAN LULL** _____.

BE IT RESOLVED, that the Supervisor be, and hereby is, authorized to establish
the following Budget Adoption:

	<u>FROM</u>	<u>TO</u>
406.051100.487451.45026 TRANSFER FROM CHIPS	\$40,000	
406.051100.541301.45026 ASPHALT EXPENSE		\$ 40,000

THE VOTE

Densieski ☒ Yes ___ No ___ Cardinale ☒ Yes ___ No ___
 Kent ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___
 Kozakiewicz ☒ Yes ___ No ___

THE RESOLUTION WAS ☒ WAS NOT ___
 THEREUPON DULY ADOPTED

Adopted

10/16/01

Town of Riverhead

Resolution # 1084

**DIRECTS THE SUPERVISOR TO TAKE SPECIFIED ACTION REGARDING
CABLEVISION FRANCHISE AGREEMENT**

Councilman Cardinale offered the following Resolution which was seconded by Councilman Lull.

WHEREAS, Cablevision has breached and continues to breach the current Franchise Agreement with the Town of Riverhead by refusing to place in operation a full-time second PEG channel to which the Town is entitled as per (Sec. 26) (para. 3) of October 18, 1983 Franchise Agreement still in effect.

WHEREAS, The Town of Riverhead requested same on April 28, 2000 pursuant to contract, and Cablevision agreed to provide a second channel, on July 24, 2000.

WHEREAS, Cablevision has previously in their letter of August 26, 1999 acknowledged and classified Riverhead Town Board Meetings as "produced by the Town with the assistance of Cablevision staff" and then reclassified Town Board Meetings as "Cablevision owned local origination programs" thus allowing them to be preempted by other PEG programming, which has priority over Cablevision programming.

WHEREAS, In an October 20, 2000 letter to the Supervisor from Cablevision, the previously unwritten verbal agreement by Cablevision to assure filming our Town Board Meetings at no charge as a service to the community was memorialized in writing and acknowledged by Cablevision.

WHEREAS, (47 USCS §521 et. seq.) states that Cablevision must establish franchise procedures and standards which encourage the growth and development of cable systems and which assures that cable systems are responsive to the needs and interests of the local community.

NOW THEREFORE BE IT RESOLVED, that the Town Board directs the Supervisor, by copy of this Resolution, immediately give notice to Cablevision demanding it establish the second PEG channel 71 as required in its current Franchise Agreement and promised on July 24, 2000 to be shared by The Town of Riverhead, Town of Southampton and the Town of Southold and be it further

RESOLVED, that the Town Board directs that the Supervisor, by copy of this Resolution, immediately give notice to Cablevision demanding it cease and desist classifying Town of Riverhead, Town of Southampton and Town of Southold Town Board Meetings as "local origination programming" and again classify same as "governmental programming" by written acknowledgement by Cablevision; and be it further

RESOLVED, that the Town Board directs that the Supervisor, by copy of this Resolution, immediately give notice to Cablevision that, until a second PEG channel as required by the current Franchise Agreement is placed in operation to be shared by Town of Riverhead, Town of Southampton and Town of Southold and until the Town of Riverhead, Town of Southampton and the Town of Southold Town Board meetings are properly classified governmental programming produced by the Town with the continued assistance of Cablevision staff, all further negotiation of any franchise renewal agreement shall be suspended; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joan Boccieri Gilroy, Charles Dolan and Thomas Garger c/o Cablevision, 1600 Motor Parkway, Hauppauge, New York 11788-9006 and Charles Forma, Esq., and Dodie Tirsch.

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

Adopted

OCTOBER 16,, 2001

TOWN OF RIVERHEADAWARDS BID69 KV POLE REPLACEMENTRESOLUTION # 1085

COUNCILMAN DENSIESKI offered the following resolution, which was seconded
by COUNCILMAN KENT.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **69 KV POLE REPLACEMENT**

WHEREAS, bids were received, opened, and read aloud on the 2ND day of August, 2001, at 11:00 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **69 KV POLE REPLACEMENT, POLE PORTION ONLY**, be and is hereby awarded to **EXCELON INFRASTRUCTURE SERVICES OF PA**, for the bid price of **\$90,357.00**.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Excelon Infrastructure Services of PA, Grubb & Ellis, the Town Attorney and the Purchasing Department.

all in
THE VOTE
 Densieski Yes ~~No~~ Cardinale Yes ~~No~~
 Kent Yes ~~No~~ Lull Yes ~~No~~
 Kozakievicz Yes ~~No~~
 THE RESOLUTION WAS X WAS NOT ____
 THEREUPON DULY ADOPTED

Adopted

RESOLUTION # 1086 ABSTRACT #40-01 OCTOBER 4, 2001 (TBM 10/16/01)

~~COUNCILMAN JILL~~

offered the following Resolution which was seconded by

~~COUNCILMAN CARDINALE~~

FUND NAME		CD-9/28/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 619,218.91	\$ 619,218.91
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ 1,000.00	\$ 97.60	\$ 1,097.60
RECREATION PROGRAM	006	\$ 8,000.00	\$ 9,265.19	\$ 17,265.19
SR NUTRITION SITE COUNCIL	007	\$ 2,000.00	\$ 875.00	\$ 2,875.00
D.A.R.E. PROGRAM FUND	008	\$ 2,500.00	\$ -	\$ 2,500.00
CHILD CARE CENTER BUILDING FUND	009	\$ 7,000.00	\$ -	\$ 7,000.00
AG-FEST COMMITTEE FUND	021	\$ -	\$ 2,277.59	\$ 2,277.59
YOUTH COURT SCHOLARSHIP FUND	025	\$ 500.00	\$ -	\$ 500.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,983.73	\$ 1,983.73
COMMUNITY P.E.T.S. SHELTER	028	\$ 4,000.00	\$ -	\$ 4,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 5,000.00	\$ 548.76	\$ 5,548.76
HIGHWAY	111	\$ 225,000.00	\$ 80,335.81	\$ 305,335.81
WATER	112	\$ -	\$ 67,807.15	\$ 67,807.15
REPAIR & MAINTENANCE	113	\$ 615,000.00	\$ -	\$ 615,000.00
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 28,427.13	\$ 28,427.13
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 11,358.86	\$ 11,358.86
STREET LIGHTING	116	\$ 90,000.00	\$ 7,224.74	\$ 97,224.74
PUBLIC PARKING	117	\$ 40,000.00	\$ 4,304.48	\$ 44,304.48
BUSINESS IMPROVEMENT DISTRICT	118	\$ 35,000.00	\$ 6,453.15	\$ 41,453.15
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 105,000.00	\$ 180.40	\$ 105,180.40
CALVERTON SEWER DISTRICT	124	\$ 50,000.00	\$ 2,833.75	\$ 52,833.75
WORKER'S COMPENSATION FUND	173	\$ 380,000.00	\$ 11,937.57	\$ 391,937.57
RISK RETENTION FUND	175	\$ 55,000.00	\$ 1,442.42	\$ 56,442.42
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 82,584.25	\$ 82,584.25
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 3,000.00	\$ -	\$ 3,000.00
SEWER DISTRICT DEBT	382	\$ 680,000.00	\$ -	\$ 680,000.00
WATER DEBT	383	\$ 650,000.00	\$ 725.00	\$ 650,725.00
GENERAL FUND DEBT SERVICE	384	\$ 410,000.00	\$ 1,100.00	\$ 411,100.00
SCAVENGER WASTE DEBT	385	\$ 70,000.00	\$ -	\$ 70,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 136,696.54	\$ 136,696.54
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 265,000.00	\$ -	\$ 265,000.00
YOUTH SERVICES	452	\$ -	\$ 1,917.95	\$ 1,917.95
SENIORS HELPING SENIORS	453	\$ -	\$ 1,656.01	\$ 1,656.01
EISEP	454	\$ -	\$ 956.51	\$ 956.51
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 190,000.00	\$ 8,983.34	\$ 198,983.34
MUNICIPAL GARAGE	626	\$ 10,000.00	\$ 28,617.03	\$ 38,617.03
TRUST & AGENCY	*735*	\$ -	\$ 604,432.75	\$ 604,432.75
SPECIAL TRUST	736	\$ 650,000.00	\$ -	\$ 650,000.00
COMMUNITY PRESERVATION FUND	737	\$ 1,175,000.00	\$ -	\$ 1,175,000.00
CDA-CALVERTON	914	\$ -	\$ 12,158.87	\$ 12,158.87
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 26,273.88	\$ 26,273.88
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 5,728,000.00	\$ 1,762,674.37	\$ 7,490,674.37

RESOLUTION # <u>1086</u> ABSTRACT #41-01 OCTOBER 11, 2001 (TBM 10/16/01)				
COUNCILMAN FULL		offered the following Resolution which was seconded by		
COUNCILMAN CARDINALE				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 39,812.05	\$ 39,812.05
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 77,036.42	\$ 77,036.42
WATER	112	\$ -	\$ 69,810.57	\$ 69,810.57
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 1,220.49	\$ 1,220.49
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ -	\$ -
STREET LIGHTING	116	\$ -	\$ 138.48	\$ 138.48
PUBLIC PARKING	117	\$ -	\$ 184.07	\$ 184.07
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 2,628.86	\$ 2,628.86
CALVERTON SEWER DISTRICT	124	\$ -	\$ 2,738.52	\$ 2,738.52
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 1,600.00	\$ 1,600.00
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 296,263.93	\$ 296,263.93
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ 110,000.00	\$ 110,000.00
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ 71.42	\$ 71.42
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ 3,128.37	\$ 3,128.37
TRUST & AGENCY	*735*	\$ -	\$ 77.50	\$ 77.50
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 67,014.35	\$ 67,014.35
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 24.36	\$ 24.36
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 671,749.39	\$ 671,749.39

THE VOTE

Densieski ☒ Yes ☐ No ☒ Cardinal ☒ Yes ☐ No
 Kent ☒ Yes ☐ No ☒ Full ☒ Yes ☐ No
 Kozakiewicz ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY ADOPTED